

AMENDED IN ASSEMBLY APRIL 17, 2006

AMENDED IN ASSEMBLY MARCH 27, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2137

Introduced by Assembly Members Niello and Jones
(Coauthor: Senator Cox)

February 21, 2006

An act to amend Sections 102022, 102023, 102055, 102100.1, 102100.3, 102100.7, 102100.8, 102100.9, 102105, 102106, 102122, 102141, ~~102162~~, 102205, 102206, 102265, 102311, 102351, 102501, 102509, and 102510 of, to add Sections 102100.10 and 102105.1 to, to repeal Section 102024 of, and to repeal and add Sections 102025, 102026, 102027, 102028, 102100.4, 102100.5, 102100.6 of, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2137, as amended, Niello. Sacramento Regional Transit District.

(1) Existing law creates the Sacramento Regional Transit District, with specified powers and duties relative to providing transit services in the Sacramento region. The district is governed by a board of directors, appointed by cities and counties within the boundaries of the district, with provision made for jurisdictions that are not annexed to the district to appoint a director under certain conditions.

This bill would revise the membership of the board of directors to provide for member entities and participating entities, and would establish a weighted voting system based on financial contributions to the district by those entities, thereby imposing a state-mandated local

program. The bill would establish standards to determine the amount of financial contributions made from various funding sources. The bill would increase the compensation of directors from \$50 to \$100 per meeting. The bill would make other related changes.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 102022 of the Public Utilities Code is
2 amended to read:
3 102022. “Sacramento Area Council of Governments” means
4 that agency or any successor thereto.
5 SEC. 2. Section 102023 of the Public Utilities Code is
6 amended to read:
7 102023. “Tax or financial support” includes funds made
8 available pursuant to the “Mills-Alquist-Deddeh Act” (Chapter 4
9 (commencing with Section 99200) of Part 11 of Division 10),
10 which is also known as the Transportation Development Act, or
11 any successor to that act.
12 SEC. 3. Section 102024 of the Public Utilities Code is
13 repealed.
14 SEC. 4. Section 102025 of the Public Utilities Code is
15 repealed.
16 SEC. 5. Section 102025 is added to the Public Utilities Code,
17 to read:
18 102025. “Member entity” means a city or county that is
19 annexed to the district pursuant to Section 102051, 102052, or
20 102055. “Member entities” means all those cities and counties.
21 SEC. 6. Section 102026 of the Public Utilities Code is
22 repealed.

1 SEC. 7. Section 102026 is added to the Public Utilities Code,
2 to read:

3 102026. "Participating entity" means a city or county that has
4 entered into an agreement with the district pursuant to
5 subdivision (b) of Section 102100.3, but only during the period
6 in which the agreement is in effect. "Participating entities" means
7 all those cities and counties.

8 SEC. 8. Section 102027 of the Public Utilities Code is
9 repealed.

10 SEC. 9. Section 102027 is added to the Public Utilities Code,
11 to read:

12 102027. "Voting entity" means a member entity or a
13 participating entity. "Voting entities" means all member entities
14 and participating entities.

15 SEC. 10. Section 102028 of the Public Utilities Code is
16 repealed.

17 SEC. 11. Section 102028 is added to the Public Utilities
18 Code, to read:

19 102028. "Transportation planning agency" shall have the
20 meaning provided in Section 99214.

21 SEC. 12. Section 102055 of the Public Utilities Code is
22 amended to read:

23 102055. Any city or county may annex to and become a part
24 of the district upon approval by the board of directors following
25 (1) written request by that city or county to the district for that
26 annexation, and (2) approval of that annexation by the
27 Sacramento Area Council of Governments. Approval of
28 annexation by the board shall be made by adoption of a
29 resolution to that effect.

30 SEC. 13. Section 102100.1 of the Public Utilities Code is
31 amended to read:

32 102100.1. (a) Except as otherwise provided, the government
33 of the district shall be vested in a board of directors. The number
34 of members on the board shall be not less than the number of
35 voting entities.

36 (b)

37 Each appointee to the board shall serve a four-year term, unless
38 earlier removed.

39 SEC. 14. Section 102100.3 of the Public Utilities Code is
40 amended to read:

102100.3. The number of members of the board of directors shall be increased as follows:

(a) Each member entity shall be entitled to make one appointment to the board.

(b) A city or county that is not annexed to the district may become a participating entity that is entitled to make at least one appointment to the board if the participating entity enters into an agreement with the district that provides for all of the following:

(1) The participating entity agrees to pay its proportionate share of the district's cost to provide rail or other districtwide transit services.

(2) The district agrees to maintain a specified level of rail or other districtwide transit services.

(3) The district is not obligated to provide transit services to any particular location or along any particular route.

(c) A voting entity shall be entitled to make an additional appointment to the board under the circumstances set forth in paragraph (6) of subdivision (d) of Section 102105.1.

SEC. 15. Section 102100.4 of the Public Utilities Code is repealed.

SEC. 16. Section 102100.4 is added to the Public Utilities Code, to read:

102100.4. The appointing authority of a participating entity under subdivisions (b) and (c) of Section 102100.3, and the term of its appointee to the board, shall terminate upon termination or cancellation of the agreement provided for in subdivision (b) of Section 102100.3, and that agreement shall automatically terminate upon the effective date of the entity's annexation to the district pursuant to Section 102051 or 102055.

SEC. 17. Section 102100.5 of the Public Utilities Code is repealed.

SEC. 18. Section 102100.5 is added to the Public Utilities Code, to read:

102100.5. After initial formation of the district, each voting entity shall have the right to appoint fewer members than it is entitled to appoint under Sections 102100.2 and 102100.3, provided that each voting entity shall appoint at least one member. Each voting entity shall determine, effective July 1 of each year, how many members it will appoint for the upcoming fiscal year. The legislative body of each voting entity shall

1 provide written notification to the secretary of the board not more
2 than 60 days and not less than 15 days prior to July 1 of the
3 number of appointments it will make for the upcoming fiscal
4 year beginning July 1. Unless and until that notification is
5 provided, the number of appointments made during the prior year
6 shall govern.

7 SEC. 19. Section 102100.6 of the Public Utilities Code is
8 repealed.

9 SEC. 20. Section 102100.6 is added to the Public Utilities
10 Code, to read:

11 102100.6. An action by the board shall not be void or
12 voidable under either of the following circumstances:

13 (a) If it is determined, subsequent to an action in which a
14 member representing a participating entity casts a vote, that the
15 agreement for that participating entity did not comply with
16 subdivision (b) of Section 102100.3.

17 (b) Because of any mathematical or clerical error in the
18 information used to calculate, or because of the calculation of,
19 the apportionment referred to in paragraph (5), (8), or (9) of
20 subdivision (d) of Section 102105.1.

21 SEC. 21. Section 102100.7 of the Public Utilities Code is
22 amended to read:

23 102100.7. The appointments to the board may be changed in
24 the following manner:

25 Not more often than every two years, the voting entities may,
26 by agreement, apportion the appointments to the board among
27 them in the approximate ratio that the district provides transit
28 service, as determined by the gross cost of the service without
29 regard to income or revenues of the district, within their
30 respective boundaries.

31 SEC. 22. Section 102100.8 of the Public Utilities Code is
32 amended to read:

33 102100.8. Execution of the agreement provided in
34 subdivision (b) of Section 102100.3 by the district and the City
35 of Elk Grove shall be a complete defense in any action or
36 proceeding of any kind to enforce or compel compliance with
37 Resolution Number 99-1044 adopted by the Sacramento County
38 Board of Supervisors or Resolution Numbers LAFC 1205, LAFC
39 1206, LAFC 1207, or LAFC 1208, adopted by the Sacramento
40 Local Agency Formation Commission, to the extent the

1 enforcement action is related to the enforcement of the
2 Mitigation Monitoring Reporting Program Mitigation Measure
3 Number 2 pertaining to the district.

4 SEC. 23. Section 102100.9 of the Public Utilities Code is
5 amended to read:

6 102100.9. For purposes of paragraph (1) of subdivision (b) of
7 Section 102100.3, the City of Elk Grove's proportionate share
8 shall be determined in the manner provided in Section 4B(2) of
9 the First Amendment to Interim Agreement for Elk Grove Bus
10 Service, dated March 17, 2004, between the district and the City
11 of Elk Grove.

12 SEC. 24. Section 102100.10 is added to the Public Utilities
13 Code, to read:

14 102100.10. Each voting entity appointing members to the
15 board in accordance with Section 102100.2 or 102100.3 may also
16 select, in the same manner as the primary member or members,
17 one or more alternates, as the case may be, to serve on the board
18 when the primary member or members are not available. Each
19 alternate shall be appointed to serve for a specific member. The
20 alternate shall be subject to the same restrictions and shall have
21 the same powers, when serving on the board, as the primary
22 member, including assumption of the seniority of the primary
23 member for purposes of paragraph (7) of subdivision (d) of
24 Section 102105.1. The legislative body of any voting entity
25 appointing an alternate shall provide written notification to the
26 secretary of the board of each appointment of an alternate in
27 order for the appointment to be effective.

28 SEC. 25. Section 102105 of the Public Utilities Code is
29 amended to read:

30 102105. The board shall establish rules for its proceedings.
31 The acts of the board shall be expressed by motion, resolution, or
32 ordinance. All meetings of the board shall be conducted in the
33 manner prescribed by the Ralph M. Brown Act (Chapter 9
34 commencing with Section 54950) of Part 1 of Division 2 of Title
35 5 of the Government Code).

36 SEC. 26. Section 102105.1 is added to the Public Utilities
37 Code, to read:

38 102105.1. In acting ~~or~~ on any item, the following weighted
39 voting procedure shall be applied:

40 (a) There shall be a total of 100 votes.

1 (b) The presence of members eligible to cast a majority of the
2 100 votes shall constitute a quorum for the transaction of
3 business.

4 (c) Except as otherwise provided in this section, and
5 notwithstanding any other provision of law, all official acts of the
6 board shall require the affirmative vote of members casting a
7 majority of the 100 votes. Any statute, including this part, that
8 requires a vote of the board shall be interpreted to require a tally
9 of the votes, rather than a tally of the members of the board. A
10 statute requiring the affirmative vote of the majority or a greater
11 number of members of the board, including, but not limited to,
12 Section 1245.240 of the Code of Civil Procedure, shall be
13 interpreted as requiring a tally of the votes cast by members,
14 rather than a tally of members.

15 (d) Each board member shall have the number of votes
16 determined by the following formula; however, each voting
17 entity represented on the board shall have at least one vote, and
18 providing that there shall be no fractional votes:

19 (1) Each member entity is entitled to five votes as a
20 membership incentive; however, the total number of incentive
21 votes shall not exceed 30. If the number of member entities
22 exceeds six, the 30 incentive votes shall be divided equally
23 among the member entities.

24 (2) The remaining votes shall be divided among all voting
25 entities in proportion to each entity's financial contribution to the
26 district. The calculation of each voting entity's financial
27 contribution shall include all of the following:

28 (A) Funds allocated to the district pursuant to the
29 Mills-Alquist-Deddeh Act, also known as the Transportation
30 Development Act (Chapter 4 (commencing with Section 99200)
31 of Part 11 of Division 10), or any successor thereto, as computed
32 by the applicable transportation planning agency for the voting
33 entity.

34 (B) Funds provided to the district by the voting entity pursuant
35 to an agreement of the type described in subdivision (b) of
36 Section 102100.3.

37 (C) Other local funds made available to the district by the
38 voting entity for the operation of public transit service.

(D) The net federal formula grant funds attributable to the voting entity, which shall be determined by applying the following formula:

(i) The revenue projection described in paragraph (8) of subdivision (b) of Section 102205 shall be multiplied by the voting entity's proportionate share of the total population of all voting entities, which shall be determined by using the population statistics described in paragraph (13) of subdivision (b) of Section 102205. This calculation yields the gross federal formula grant funds that are attributed to the voting entity.

(ii) There shall be subtracted from the gross federal formula grant funds attributed to the voting entity any federal formula grant funds that are allocated to the voting entity in the table described in paragraph (10) of subdivision (b) of Section 102205. The result of this subtraction shall be the net federal formula grant funds attributed to the voting entity.

(3) The total number of votes for each voting entity shall be the sum of the votes allocated in paragraphs (1) and (2).

(4) If the division set forth in paragraphs (1) to (3), inclusive, results in fractional votes, the number of votes allocated shall be rounded in the following manner:

(i) Each fractional vote that is 0.6 or greater shall be rounded up to the nearest whole number, and each fractional vote that is less than 0.6 shall be rounded down to the nearest whole number.

(ii) If the sum total of the votes so rounded is greater than 100, the excess vote or votes shall be taken one each from the voting entity or entities with the greatest number of total votes, in descending order of the number of votes, until the sum total is 100. If two or more voting entities have the same number of votes, the vote reduction among those entities shall be done by lot.

(iii) If the sum total of the votes so rounded is less than 100, one vote shall be added to the total of the voting entity or entities with the greatest number of total votes, in descending order of the number of votes, until the sum total is 100. If two or more voting entities have the same number of votes, the extra votes shall be allocated by lot among those entities.

(5) The determination of financial contribution and the apportionment of votes shall be approved by the board at the board meeting at which the budget is adopted. The new voting

1 apportionment shall be effective on July 1 of each year or as soon
2 thereafter as the budget is adopted.

3 (6) At the time the apportionment is approved, the following
4 calculation shall be done for each voting entity: the total number
5 of votes allocated to the voting entity shall be divided by the total
6 number of appointments the voting entity is entitled to make
7 under Sections 102100.2 and 102100.3, regardless of whether
8 those appointments have been made. If the result is greater than
9 15 votes per appointment, the voting entity shall be entitled to
10 appoint an additional member to the board, effective July 1.
11 Notwithstanding Section 102100.5, the legislative body of the
12 voting entity making its appointment under this provision shall
13 give written notification to the secretary of the board within 30
14 days of approval of the allocation. A member so appointed shall
15 be subject to the same restrictions and shall have the same
16 powers, when serving on the board, as any other member.

17 (7) For any voting entity that has appointed more than one
18 member to the board, the total votes allocated to that voting
19 entity shall be divided equally among the board members or
20 alternates representing that entity who are present and voting.
21 Where an equal division would result in fractional votes, the
22 votes shall be divided to the nearest whole number among all
23 members representing the voting entity who are present and
24 voting, with the remaining votes being allocated, one vote each,
25 to the members representing the voting entity in order of
26 seniority, as measured by years of consecutive service on the
27 board. If two or more members have served for the same length
28 of time, the extra vote or votes shall be allocated between those
29 members by lot.

30 (8) If a city or county becomes a voting entity after the annual
31 allocation called for in this subdivision has taken place, the board
32 shall approve a new allocation, applying the financial
33 contribution data used for the most recent allocation and
34 considering what the new voting entity would have contributed,
35 had it been part of the district when the preceding allocation took
36 place. If necessary, the financial contribution of a newly
37 incorporated entity may be estimated using population figures
38 from the applicable local agency formation commission.

39 (9) If, during the course of the fiscal year, the financial
40 projections used to calculate the financial contribution of any

1 voting entity differ by more than 10 percent from the amount that
2 will actually be provided during the fiscal year by that entity, the
3 board may call for a new allocation to be conducted and any
4 allocation so called for shall be approved by the board. The
5 allocation shall proceed in the manner described in paragraphs
6 (1) to (4), inclusive, but the calculation in paragraph (2) shall be
7 done with reference to the financial contribution actually
8 provided to the district during the fiscal year (except as otherwise
9 provided in paragraph (8)), to the extent that contribution is
10 known.

11 SEC. 27. Section 102106 of the Public Utilities Code is
12 amended to read:

13 102106. Each member of the board shall receive the sum of
14 one hundred dollars (\$100) for each attendance at the meetings of
15 the board, and shall be allowed actual necessary traveling
16 expenses incurred in the discharge of the member's duties.

17 SEC. 28. Section 102122 of the Public Utilities Code is
18 amended to read:

19 102122. (a) The board of directors may adopt ordinances that
20 do any of the following:

21 (1) Prohibit persons from knowingly giving false identification
22 to a district employee engaged in the enforcement of district
23 ordinances or state laws, or otherwise obstructing the issuance of
24 a citation for violation of district ordinances or state law.

25 (2) Prohibit unauthorized operation of, interference with, entry
26 into, climbing upon, attaching to, or loitering on or in transit
27 facilities or other transit property.

28 (3) Prohibit the removal, displacement, injury, destruction, or
29 obstruction of any part of any track, switch, turnout, bridge,
30 culvert, or any other district structure or fixture.

31 (4) Specify conditions under which a passenger may board a
32 district vehicle with a bicycle and where the bicycle may be
33 stowed.

34 (b) The board may provide that a violation of any ordinance
35 adopted pursuant to subdivision (a) is an infraction punishable by
36 a fine not exceeding seventy-five dollars (\$75), and that a
37 violation by a person after the second conviction is punishable by
38 a fine not to exceed two hundred fifty dollars (\$250) and by
39 community service for a total time not to exceed 48 hours over a

1 period not to exceed 30 days which do not conflict with the
2 violator's hours of school attendance or employment.

3 (c) The board may designate persons regularly employed by
4 the district as inspectors or supervisors whose duties shall include
5 enforcement of district ordinances adopted under subdivision (a),
6 Sections 640 and 640.5 of the Penal Code, and Section 22656 of
7 the Vehicle Code. The designated persons shall have the
8 authority set forth in Section 836.5 of the Penal Code.

9 (d) This section does not prohibit any person from engaging in
10 activities that are protected under the laws of the United States or
11 of California, including, but not limited to, picketing,
12 demonstrating, or distributing handbills.

13 SEC. 29. Section 102141 of the Public Utilities Code is
14 amended to read:

15 102141. The commission shall be composed of three
16 members appointed by the legislative body of each voting entity.
17 At least one of the three members appointed by each voting
18 entity shall be a member of the appointing body. Commission
19 members shall serve at the pleasure of their appointing body.

20 ~~SEC. 30. Section 102162 of the Public Utilities Code is~~
21 ~~amended to read:~~

22 ~~102162. Article 2 (commencing with Section 87200) of~~
23 ~~Chapter 7 of Title 9 of the Government Code shall apply to all~~
24 ~~officers, employees, and contracts of and with the district.~~

25 ~~SEC. 31.~~

26 SEC. 30. Section 102205 of the Public Utilities Code is
27 amended to read:

28 102205. (a) The district shall annually submit its tentative or
29 proposed budget to the legislative body of each voting entity,
30 within the time and in the manner required in this section.

31 (b) The tentative or proposed budget and the final adopted
32 budget shall, at a minimum, include the following information
33 for the applicable fiscal year:

- 34 (1) The projected cost of service.
35 (2) The projected revenue from fares.
36 (3) The projected revenue to be allocated to the district from
37 the Transportation Development Act.
38 (4) The projected revenue from any contract of the type
39 described in subdivision (b) of Section 102100.3.

1 (5) The projected revenue from any other local funds made
2 available to the district by a voting entity for the operation of
3 public transit service.

4 (6) A projection of the federal formula grant funds that will be
5 available and eligible for use during the fiscal year for operating
6 purposes within the Sacramento urbanized area, including funds
7 for cities and counties that are not represented on the board.

8 (7) A projection of what portion of the federal formula grant
9 funds described in paragraph (6) will be allocated to provide
10 transit service that primarily benefits the residents of cities and
11 counties that are not voting entities.

12 (8) The amount obtained by subtracting the projection
13 described in paragraph (7) from the projection described in
14 paragraph (6), which amount represents the federal formula grant
15 funds available to operate transit service that primarily benefits
16 the residents of voting entities.

17 (9) A projection of what portion of the federal formula grant
18 funds described in paragraph (8) will be allocated to transit
19 operators other than the district to provide service that primarily
20 benefits the residents of voting entities.

21 (10) A table that allocates the federal formula grant funds
22 specified in paragraph (9) to each voting entity using the
23 following methodology:

24 (A) For federal formula grant funds projected to be received
25 by a voting entity, all of the funds to be received will be allocated
26 to that entity.

27 (B) If an entity other than a voting entity receives funds to
28 provide transit service that benefits a voting entity, those funds
29 shall be allocated to that voting entity in proportion to the relative
30 benefit received by that entity from the operation of that transit
31 service.

32 (11) The amount obtained by subtracting the projection
33 described in paragraph (9) from the projection described in
34 paragraph (8), which amount represents the federal formula grant
35 funds available and eligible for use by the district for operating
36 purposes.

37 (12) A projection of the revenue from any other source that
38 will be available to the district for operating purposes during the
39 fiscal year.

1 (13) The population of each voting entity, as measured by the
2 population statistics used by the applicable transportation
3 planning agency to allocate Transportation Development Act
4 funds for the same fiscal year for which the budget is adopted.

5 (c) The tentative or proposed budget shall be submitted to the
6 legislative body of each voting entity not less than 60 days prior
7 to its adoption by the board. It shall be submitted for review and
8 comment. The board may adopt the budget after submission to
9 the legislative body of each voting entity, but shall consider any
10 comments made by those legislative bodies on the budget.

11 (d) Concurrent with adoption of the budget, the board shall
12 make an affirmative finding that the proposed level of service,
13 reflected in the statement of proposed operation and level of
14 service, to be rendered in any voting entity, is commensurate
15 with the level of tax or financial support to be derived from each
16 such voting entity. In determining the level of service, the board
17 shall consider user benefits and community benefits, in terms of
18 one or more of the following factors: availability of service,
19 patronage, population, and capital improvements.

20 (e) The board shall adopt its budget at a public hearing held
21 after the submission of the tentative or proposed budget. Notice
22 of the time and place of the hearing shall be published pursuant
23 to Section 6061 of the Government Code and shall be made not
24 later than the 15th day prior to the date of the hearing.

25 ~~SEC. 32.~~

26 *SEC. 31.* Section 102206 of the Public Utilities Code is
27 amended to read:

28 102206. The district shall also submit to the legislative body
29 of each voting entity with its tentative or proposed budget a
30 statement of its proposed operations and level of service for the
31 period covered by the budget, calling attention to any substantial
32 or significant changes or proposed changes in operations and
33 level of service within each voting entity and a draft of the vote
34 allocation called for by Section 102105.1. A legislative body may
35 include with its comments to the district on the budget,
36 comments concerning the proposed operations, level of service,
37 and vote allocation, and the board shall consider those comments
38 prior to adopting the budget.

1 ~~SEC. 33.~~

2 *SEC. 32.* Section 102265 of the Public Utilities Code is
3 amended to read:

4 102265. The Sacramento Area Council of Governments shall
5 be the long-range planning agency advising the district.

6 ~~SEC. 34.~~

7 *SEC. 33.* Section 102311 of the Public Utilities Code is
8 amended to read:

9 102311. The district shall have the power to obtain temporary
10 transfers of funds in accordance with the last paragraph of
11 Section 6 of Article XVI of the California Constitution.

12 ~~SEC. 35.~~

13 *SEC. 34.* Section 102351 of the Public Utilities Code is
14 amended to read:

15 102351. Notwithstanding Sections 7261 and 7262 of the
16 Revenue and Taxation Code, the retail transactions and use tax
17 ordinance shall provide for rates of one-quarter or one-half of
18 one percent. The ordinance shall apply only within that portion of
19 the district that consists of the City of Sacramento and the
20 unincorporated territory of the County of Sacramento which is
21 activated as part of the district as of the date of any election
22 relating to the tax authorized by this article.

23 ~~SEC. 36.~~

24 *SEC. 35.* Section 102501 of the Public Utilities Code is
25 amended to read:

26 102501. Whenever the board deems it necessary for the
27 district to incur a bonded indebtedness for the acquisition,
28 construction, or repair of any or all improvements, works,
29 property or facilities, authorized by this part or necessary or
30 convenient for the carrying out of the powers of the district, or
31 for any other purpose authorized by this part, it shall, by
32 ordinance, adopted by a two-thirds vote of the board, so declare
33 and call an election to be held in the district for the purpose of
34 submitting to the qualified voters thereof the proposition of
35 incurring indebtedness by the issuance of bonds of the district;
36 provided the total amount of bonds issued and outstanding
37 pursuant to this article shall not exceed 15 percent of the assessed
38 value of the taxable property of the district as shown by the last
39 equalized assessment rolls of the counties of Sacramento, Placer,
40 and Yolo. The ordinance shall state:

1 (a) The purposes for which the proposed debt is to be incurred,
2 which may include all costs and estimated costs incidental to or
3 connected with the accomplishment of those purposes, including,
4 without limitation, engineering, inspection, legal, fiscal agents,
5 financial consultant and other fees, bond and other reserve funds,
6 working capital, bond interest estimated to accrue during the
7 construction period and for a period not to exceed three years
8 thereafter, and expenses of all proceedings for the authorization,
9 issuance and sale of the bonds.

10 (b) The estimated cost of accomplishing those purposes.

11 (c) The amount of the principal of the indebtedness.

12 (d) The maximum term the bonds proposed to be issued shall
13 run before maturity, which shall not exceed 50 years from the
14 date thereof or the date of each series thereof.

15 (e) The maximum rate of interest to be paid, which shall not
16 exceed 7 percent per annum.

17 (f) The proposition to be submitted to the voters, which may
18 include one or more purposes.

19 (g) The date of the election.

20 (h) The manner of holding the election and the procedure for
21 voting for or against the measure.

22 (i) The ordinance may also contain any other matters
23 authorized by this part or any other law.

24 ~~SEC. 37.~~

25 *SEC. 36.* Section 102509 of the Public Utilities Code is
26 amended to read:

27 102509. After the expiration of three years after a bond
28 election, the board may determine, by ordinance adopted by a
29 two-thirds vote of the board, that any or all of the bonds
30 authorized at the election remaining unsold shall not be issued or
31 sold. When the ordinance takes effect, the authorization to issue
32 those bonds shall become void.

33 ~~SEC. 38.~~

34 *SEC. 37.* Section 102510 of the Public Utilities Code is
35 amended to read:

36 102510. Whenever the board deems that the expenditure of
37 money for the purposes for which the bonds were authorized by
38 the voters is impractical or unwise, it may, by ordinance adopted
39 by a two-thirds vote of the board, so declare and call an election
40 to be held in the district for the purpose of submitting to the

1 qualified voters thereof the proposition of incurring indebtedness
2 by the issuance of those bonds for some other purposes or, in the
3 case where bonds have been sold, the proposition to use the
4 proceeds for some other purposes. The procedure, so far as
5 applicable, shall be the same as when a bond proposition is
6 originally submitted.

7 ~~SEC. 39~~

8 *SEC. 38.* If the Commission on State Mandates determines
9 that this act contains costs mandated by the state, reimbursement
10 to local agencies and school districts for those costs shall be
11 made pursuant to Part 7 (commencing with Section 17500) of
12 Division 4 of Title 2 of the Government Code.